

13281 U.S. PTO
021304

BAY-310-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

322856 U.S. PTO
10/777159
021304

In re Accompanying Divisional Application under 37 CFR 1.53:

Prior Application: BAYCHAR
Serial No. 08/910,115
Filed: August 13, 1997

Group Art Unit: 1771
Examiner: C. Juska
For: WATERPROOF/BREATHABLE TECHNICAL APPAREL

REQUEST FOR DIVISIONAL APPLICATION
UNDER 37 C.F.R. 1.53(b)

Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 CFR §1.53(b) of pending prior application Serial No. 08/910,115, filed on August 13, 1997, entitled WATERPROOF/BREATHABLE TECHNICAL APPAREL, by all of the inventors named in the prior application.

1. Enclosed is a copy of the prior application, including the Declaration as originally filed.

2. The Filing Fee is calculated below:

**CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS ANY CLAIMS CANCELED BY ACCOMPANYING PRELIMINARY AMENDMENT
PLUS ANY CLAIMS ADDED BY ACCOMPANYING PRELIMINARY AMENDMENT**



BAY-310-02

Basic Fee (Small Entity)							\$	385.00
Total Claims	13	-	20	=	0	x	18	= 0.00
Independent Claims	4	-	3	=	1	x	86	= 86.00
Total Filing Fee							\$	471.00

3. A Credit Card Payment Form including the amount of \$471.00 is enclosed to cover the Small Entity Filing Fee.

4. The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment, to Deposit Account No. 50-1417.

5. New drawings are enclosed, six (6) sheets, Figs. 1-6.

6. The power of attorney is set forth in the Declaration in the prior application or an associate power of attorney is hereby granted to:

John R. Mattingly, Registration No. 30,293
Jeffrey M. Ketchum, Registration No. 31,174
Shrinath Malur, Registration No. 34,663
Daniel J. Stanger, Registration No. 32,846
Gene W. Stockman, Registration No. 21,021.

There is a change in the correspondence address.

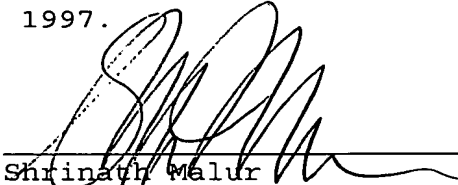
Address all future correspondence to:

MATTINGLY, STANGER & MALUR, P.C.
1800 Diagonal Road, Suite 370
Alexandria, Virginia 22314
(703) 684-1120

Please associate this application with Customer No. 24956.

The undersigned hereby declares that no matter contained in the specification, including the claims, and drawings filed

in the present divisional application would have been new matter in the prior application Serial No. 08/910,115, as originally filed on August 13, 1997.


Shrinath Malur
Registration No. 34,663
Attorney for Applicant(s)

MATTINGLY, STANGER & MALUR
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120
Date: February 13, 2004